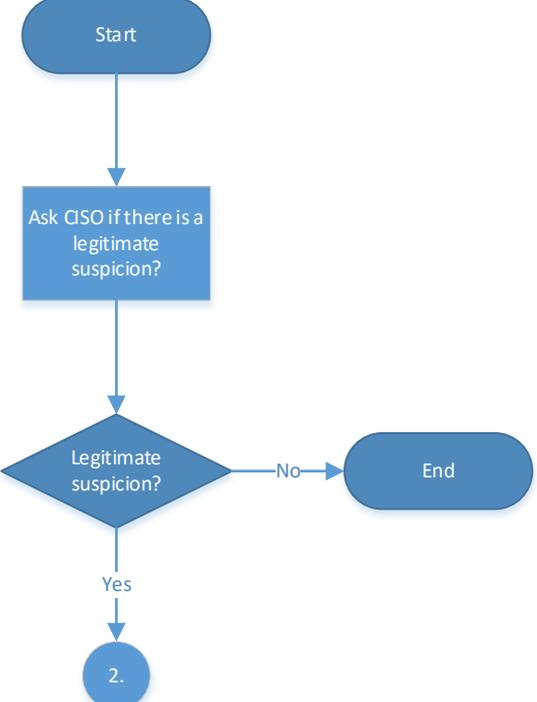
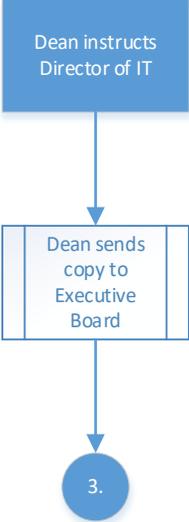
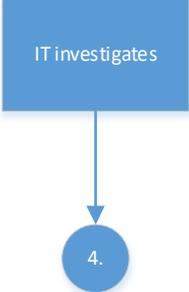


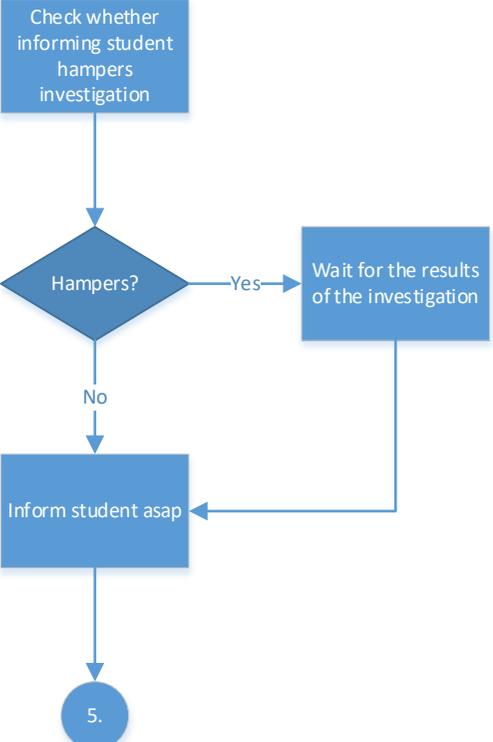
STEPS FOR INVESTIGATING STUDENT USE OF ICT FACILITIES

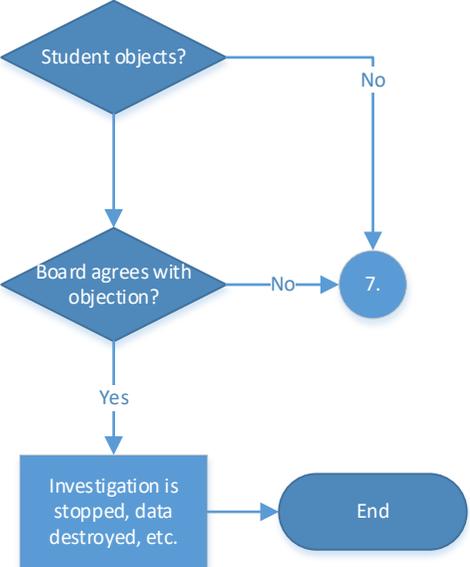
In the context of the ICT Facilities Regulations for students at Vrije Universiteit Amsterdam

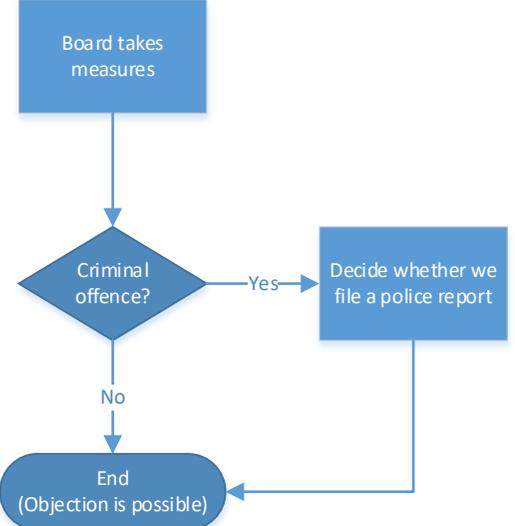
The following steps must be taken to investigate the use of ICT facilities by a student. These steps are in accordance with the provisions of the '[ICT Facilities Regulations for students at Vrije Universiteit Amsterdam](#)' (hereinafter: 'Regulations'). These regulations have been adopted by the Executive Board upon approval by the University Student Council.

#	Process	What	Who
1.	 <pre> graph TD Start([Start]) --> Ask[Ask CISO if there is a legitimate suspicion?] Ask --> Decision{Legitimate suspicion?} Decision -- No --> End([End]) Decision -- Yes --> 2((2.)) </pre>	<p>Legitimate suspicion There must be a legitimate suspicion of:</p> <ul style="list-style-type: none"> - a violation of the Code of Conduct as referred to in Section 3 of the Regulations; - inappropriate conduct within the meaning of the Inappropriate Conduct Regulations of VU Amsterdam; or - other seriously culpable conduct by a student. <p>Always check first whether the rules of conduct in the Regulations (Article 4) may have been violated or whether there has been a case of unauthorized use as stated in the Regulations (Article 5). Examples include:</p> <ul style="list-style-type: none"> - Students are to refrain from providing access to the ICT facilities to third parties and may not loan them out (Article 4.7). - Students may not assume a false identity (Article 5.1 e). - Students are to refrain from any use of ICT facilities that may lead to the discrimination, sexual or other intimidation or threats to others. <p>The <u>Chief Information Security Officer</u> (CISO) checks whether there is a legitimate suspicion. The CISO can be reached via socc.secure@vu.nl.</p>	<p>Check: CISO</p>

<p>2.</p>	 <pre> graph TD A[Dean instructs Director of IT] --> B[Dean sends copy to Executive Board] B --> C((3.)) </pre>	<p>Dean’s permission and copy to Executive Board To investigate the use of the ICT facilities by the student concerned, the <u>Dean</u> (or the Dean’s deputy on his/her behalf in his/her absence) must provide written instructions to the <u>Director of IT</u> with a copy to the <u>Executive Board</u>.</p> <p>These instructions must substantiate the legitimate suspicion is. If a substantive investigation is requested, the instructions must also substantiate why a targeted investigation is insufficient. See Article 10.2 c of the Regulations.</p> <p>The educational law team of the <u>Department of Institutional and Legal Affairs</u> can provide legal support. You can contact them via secretariaat.bbz@vu.nl.</p>	<p>Instruction from: Dean Instruction to: Director of IT Copy to: Executive Board Support: Dep’t of Institutional and Legal Affairs</p>
<p>3.</p>	 <pre> graph TD A[IT investigates] --> B((4.)) </pre>	<p>Targeted investigation and four eyes principle The starting point for the investigation is that only traffic data – also known as metadata – is to be investigated and not the content of files or messages such as might be found in an individual’s VU email. If the latter is necessary, additional rules apply. These rules basically mean that files and messages marked as private and that may contain privileged information should be disregarded in principle. See Articles 10.1 and 10.3 of the Regulations.</p> <p>In principle, the investigation is carried out by at least two employees of the IT Service Desk (according to the four eyes principle).</p>	<p>Investigation: IT</p>

<p>4.</p>	 <pre> graph TD A[Check whether informing student hampers investigation] --> B{Hampers?} B -- Yes --> C[Wait for the results of the investigation] B -- No --> D[Inform student asap] C --> D D --> E((5.)) </pre>	<p>Inform student The student concerned is to be informed by the <u>Faculty</u> as quickly as possible about the reason, process and outcome of the investigation, and is to be given the opportunity to provide further explanation. Information may be withheld from the student if disclosure could hamper the investigation. See Article 10.2 d of the Regulations.</p>	<p>Inform student: Faculty</p>
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<p>5.</p>		<p>Those involved in the investigation The data collected and the outcome are only accessible – under strict confidentiality – to the <u>Dean</u>, the <u>Executive Board</u> and the <u>members of the administrative secretariat of the complaints committee</u> within the meaning of the Inappropriate Conduct Regulations, insofar as the investigation has been carried out at the request of this committee and the educational law team that has been engaged for support. See Article 10.5 of the Regulations.</p>	<p>Those involved in the investigation Dean, Executive Board, Complaints Committee on Inappropriate Conduct and legal team involved</p>
<p>6.</p>		<p>Objection against investigation The <u>student</u> who is the subject of an investigation may lodge an objection against such investigation with the <u>Executive Board</u> within four weeks after being informed about the investigation. The Executive Board is to respond in writing as soon as possible and in any event within four weeks after receipt of the objection, stating reasons for its decision. If the objection is upheld, the investigation will be discontinued immediately and any data collected as part of the investigation will be destroyed forthwith. In addition, any measures will be repealed if they are shown to have been taken unjustly. See Articles 11.1 and 11.2 of the Regulations.</p>	<p>Student can lodge an objection with the Executive Board</p>

<p>7.</p>	 <pre> graph TD A[Board takes measures] --> B{Criminal offence?} B -- Yes --> C[Decide whether we file a police report] B -- No --> D([End (Objection is possible)]) C --> D </pre>	<p>Measures</p> <p>If a student is shown to have acted in violation of the rules, the Dean or the Executive Board may take appropriate measures against the student, depending on the nature and severity of the violation, whereby termination of enrolment by the Executive Board is the most extreme measure. The educational legal team of BJZ can advise on the measure to be imposed. The student can lodge a substantiated objection against an imposed measure within six weeks. If a criminal offence has been committed, or if there is a legitimate suspicion of a criminal offence, the university may file a police report. See Article 12 of the Regulations.</p>	<p>Executive Board or Faculty can take measures</p>
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